

**REMARKS**

This Amendment is in response to the Office Action dated March 2, 2007. All rejections and objections are respectfully traversed.

Claims 1-48 are in the application.

Claims 1, 45 and 46 have been amended to better claim the invention.

**Rejections under 35 U.S.C. §102**

At paragraph 2 of the Office Action, the Examiner rejected claims 1-34 and 40-46 under 35 U.S.C. §102(b) as being anticipated by Shi et al, *Normalized Cuts and Image Segmentation*, (published 2000 by IEEE) (hereinafter "Shi"). Applicant respectfully traverses this rejection.

Amended claim 1 includes, in part:

***scoring each candidate partition of the set of candidate partitions by building sub-patterns using the set of candidate partitions, wherein the scoring includes analyzing an overall suitability of each sub-pattern***

The Shi reference is silent as to scoring candidate partitions based on suitability. As such, Shi does not anticipate the claimed invention.

Claims 2-44 are believed to be allowable at least because they depend upon an allowable base claim.

Amended claim 45 includes, in part:

***using the connected graph and a sub-division parameter to create a plurality of feature groups, wherein the sub-division parameter includes an overall suitability of a sub-pattern.***

As noted, Shi does not teach the use of using suitability in sub-dividing or scoring candidates. As such, Shi does not anticipate claim 45.

Amended claim 46 includes, in part:

***scoring the candidate partitions by examining characteristics of each potential sub-pattern of each candidate partition, wherein the characteristics of each potential sub-pattern comprises a suitability of the sub-pattern used as a search pattern applied to the pattern***

As noted, Shi is silent as to scoring candidate partitions based on suitability. As such, claim 46 is not anticipated by the Shi reference.

Claims 47 and 48 are believed to be allowable at least because they depend from an allowable base claim.

### **Rejections under 35 U.S.C. §103**

At paragraph 3 of the Office Action, the Examiner rejected claims 47 and 48 under 35 U.S.C., §103(a) as being unpatentable over Shi. Applicant respectfully traverses this rejection and the Examiner's Official Notice contained therein. As noted above, Applicant believes that claims 47 and 48 are allowable at least because they

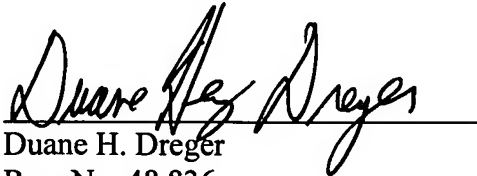
depend from an allowable base claim.

Applicant believes that all claims are in condition for allowance. Favorable action is respectfully requested.

Should the examiner believe that personal contact will advance the prosecution of this matter, the Examiner is invited to contact the undersigned attorney.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Duane H. Dreger", is written over a horizontal line.

Duane H. Dreger

Reg. No. 48,836

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